

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA**

**FILED**

**MAY 02 2012**

**JULIE A. RICHARDS, CLERK  
US DISTRICT COURT, EDNC  
BY                      DEP CLK**

**MELANIE B FERLITO**  
Plaintiff

**Case No 5:12-CV-73-D**

**VS**

**NCB MANAGEMENT SERVICES INCORPORATED**  
**John Does 1 thru 10**  
Defendant(s)

**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

**AFFIDAVIT**

NOW COMES the Affiant, Melanie B. Ferlito of Raleigh, North Carolina who is over the age of 21 years, competent to testify, and declares as follows under penalty of perjury regarding Case No. 5:12-CV-73-D Melanie B. Ferlito v NCB Management Services Incorporated:

1. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that NCB Management Services Incorporated is the owner or has legal standing to collect on any account of Melanie B. Ferlito as stated in the NCB Collection Letter dated November 18, 2011 ("Letter") and submitted into evidence in their Motion to Dismiss Amended Complaint ("Motion to Dismiss").
2. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that NCB Management Services

Incorporated acquired any account of Melanie B. Ferlito from HSBC Bank USA, NA as stated in their Letter and Motion to Dismiss.

3. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that there is any account of Melanie B. Ferlito that originated with HSBC Bank USA, NA where there is any balance due and owing that could be collected by NCB Management Services Incorporated.
4. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that there is any permissible purpose for the Defendants and/or their counsel in Case No. 5:12-CV-73-D in the United States District Court for the Eastern District of North Carolina to obtain the credit report of Melanie B. Ferlito.
5. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that NCB Management Services Incorporated had any “reason to believe” that a debt existed which would give the Defendant and/or their counsel in Case No. 5:12-CV-73-D in the United States District Court for the Eastern District of North Carolina permissible purpose to obtain the credit report of Melanie B. Ferlito
6. That Affiant/Plaintiff at no time gave permission to NCB Management Services Incorporated to obtain her credit report.
7. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the record made, that would show or prove that there is any reason for the Defendant and/or their counsel in Case No. 5:12-CV-73-D in the United States District Court

for the Eastern District of North Carolina to attempt to collect any debt from  
Melanie B. Ferlito.

8. That Affiant/Plaintiff is not in receipt of anything, nor is there anything on the  
record made, that would show or prove that NCB Management Services  
Incorporated validated or even attempted to validate the alleged debt.

NOTARY'S VERIFICATION

On this day personally came before me the above-named Affiant, who proved his identity  
to me to my satisfaction, and he acknowledged his signature on this Affidavit in my  
presence and stated that he did so with full understanding that he was subject to the  
penalties of perjury.

AFFIRMATION

I hereby affirm that I prepared and have read this Affidavit and that I believe the  
foregoing statements in this Affidavit to be true and correct. I hereby further affirm that  
the basis of these beliefs is my own direct knowledge of the statements described herein.

Further the Affiant sayeth naught.

Signed in Raleigh, NC  
May 2, 2012

  
\_\_\_\_\_  
Melanie B. Ferlito

Name of Notary Tammy T. Ray  
Signature of notary Tammy T. Ray  
March 20, 2015 seal

